

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

CHARLES GOLBERT, et al., on behalf of )  
themselves and a class of others similarly )  
situated, ) Case No: 18 C 8176  
)  
Plaintiffs, ) Hon. Jeffrey I. Cummings  
) Judge Presiding  
v. )  
) Hon. M. David Weisman  
BEVERLY J. WALKER, et al., ) Magistrate Judge  
)  
Defendants. )

**THE PARTIES' JOINT MOTION TO STRIKE DEFENDANTS'  
MOTION TO COMPEL CORRECTED EXPERT REPORT AS  
MOOT AND TO EXTEND EXPERT DISCOVERY**

Defendants and plaintiffs, for their joint motion to strike defendants' motion to compel a corrected plaintiffs' expert report as moot and to extend expert discovery, state as follows:

1. On October 1, 2024, defendants filed a motion to compel a supplemented or corrected plaintiffs' expert report ("Motion to Compel") (Dkt. 310).
2. The Court set a briefing schedule and hearing date for the Motion to Compel, setting the motion for hearing on November 14, 2024 (Dkt. 313).
3. On October 17, 2024, plaintiffs filed a motion for extension of time to respond to the Motion to Compel (Dkt. 315). In their motion, plaintiffs noted that the parties were conferring in an effort to "resolve the issues in the expert report, identified by the Defendants, amicably and without court intervention." *Id.*
4. Since the filing of plaintiffs' motion for extension of time, the parties have further conferred and plaintiffs have served an amended plaintiffs' expert report which, the parties agree, moots the need for the Court to further entertain defendants' Motion to Compel. For that reason, the parties jointly request that the Court enter an order striking the Motion to Compel as moot.

5. Based upon service of plaintiffs' amended expert report on October 23, 2024, the parties request that the Court enter an order extending expert discovery as if plaintiffs' expert report had been originally served on October 23, 2024, and accordingly request that the expert discovery schedule be extended as follows: (a) defendants shall depose plaintiffs' expert by December 9, 2024; (b) defendants' expert disclosure shall be served by February 7, 2025; (c) plaintiffs shall depose defendants' expert(s) by March 24, 2025; and (d) the dates for filing the parties' joint status report and the next status hearing be set as determined by the Court.

Wherefore, for the reasons set forth above, the parties jointly request that the Court enter an order (1) striking defendants' pending motion to compel (Dkt. 310) as moot, (2) extending expert discovery as follows: (a) defendants shall depose plaintiffs' expert by December 9, 2024; (b) defendants' expert disclosure shall be served by February 7, 2025; (c) plaintiffs shall depose defendants' expert(s) by March 24, 2025; and (d) setting the dates for filing the parties' joint status report and the next status hearing, as determined by the Court, and (3) striking the November 14, 2024 hearing date on defendants' pending motion to compel.

Dated: November 4, 2024

Respectfully submitted,

/s/ Barbara L. Greenspan  
*Attorney for Defendants*  
Barbara L. Greenspan  
Thomas J. Verticchio  
Vjolca Saliu  
Assistant Attorneys General  
115 S. LaSalle St.  
Chicago, Illinois 60603  
(312) 858-0412

/s/ Russell Ainsworth  
*Attorney for Plaintiffs*  
Arthur Loevy  
Jon Loevy

Michael Kanovitz  
Russell Ainsworth  
Theresa Kleinhaus  
Lauren Carbajal  
Loevy & Loevy  
311 N. Aberdeen, 3rd Floor  
Chicago, Illinois 60607  
(312) 243-5900

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, deposes and states that THE PARTIES' JOINT MOTION TO STRIKE DEFENDANTS' MOTION TO COMPEL CORRECTED EXPERT REPORT AS MOOT AND TO EXTEND EXPERT DISCOVERY was served upon counsel of record via electronic ECF filing this 4th day of November 2024.

s/Barbara L. Greenspan  
Attorney